

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CURTIS MOSS,

Plaintiff,

v.

9:05-CV-1585

TED NESMITH, Registered Physician Assistant,
Great Meadow Correctional Facility; DAVID
CARPENTER, Deputy Superintendent of Programs,
Great Meadow Correctional Facility; and LUCIEN J.
LeCLAIRE, Deputy Commissioner of DOCS,

Defendants.

APPEARANCES:

OF COUNSEL:

CURTIS MOSS

Plaintiff Pro Se

01-B-2310

Clinton Correctional Facility

Post Office Box 2001

Dannemora, New York 12929

HON. ANDREW M. CUOMO

New York State Attorney General

The Capitol

Albany, New York 12224

Attorney for Defendants

JEFFREY P. MANS, ESQ.

Assistant Attorney General

NORMAN A. MORDUE, CHIEF JUDGE

ORDER

The above matter comes to me following a Report-Recommendation by Magistrate Judge David R. Homer, duly filed on the 23rd day of January, 2008. Following ten days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-

Recommendation, and no objections submitted thereto, it is

ORDERED, that:

1. The Report-Recommendation is hereby approved.
2. Defendants' motion for summary judgment (Docket No. 33) is granted and judgment entered for all defendants on all claims.
3. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: February 13, 2008
Syracuse, New York


Norman A. Mordue
Chief United States District Court Judge

v

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